

Appl. No. 10/564,579
Reply to Office Action mailed April 2, 2008

R E M A R K S

Request for Form PTO-892

JP 2002-201126 was applied in a prior art rejection in the August 29, 2007 Office Action.

The Examiner is respectfully requested to make JP 2002-201126 of record by citing JP 2002-201126 on a Form PTO-892.

Claim Amendments

The amendment to claims 3 and 12 regarding "0.1%" is supported by Table 1 on page 11 of the specification.

Claim 12 was also amended to include the feature of "eye drops," which is recited in claim 3.

Rule 116

With respect of Rule 116, entry of the amendments is respectfully requested because the amendment to claim 12 adding "eye drops" is in reply to the 35 USC 112, first paragraph rejection set forth in the Final Rejection.

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Rejection Under 35 USC 112, First Paragraph

Claims 12, 14 and 15 were rejected under 35 USC 112, first paragraph, for the reasons set forth in item no. 2 on page 2 of the April 2, 2008 Office Action.

As discussed above, claim 12 was amended to recite "eye drops" to avoid this rejection.

Withdrawal of the 35 USC 112, first paragraph rejection is thus respectfully requested.

Applicants' Present Claims

Applicants' present claims are directed to a solution for eye drops comprising 0.01 to 0.1% (w/v) {4-cyano-4-[3-(cyclopentyloxy)-4-(difluoromethoxy)phenyl]piperidine-1-yl} acetic acid monohydrate and at least one pharmaceutically acceptable additive.

Applicants' present claims also pertain to a method for treating pruritus comprising administering to a mammal, eye drops comprising 0.01 to 0.1% (w/v) of {4-cyano-4-[3-(cyclopentyloxy)-4-(difluoromethoxy)phenyl]piperidine-1-yl} acetic acid monohydrate.